

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case 07-CA-291488 Date Filed February 24, 2022

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Great Lakes Coffee Roasting Company		b. Tel. No. 313-831-9627
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 389 Enterprise Ct. Bloomfield Hills, MI 48302	e. Employer Representative Greg S Miracle Lisa M. Miracle	g. e-mail greg@greatlakescoffee.com
		h. Number of workers employed 24

i. Type of Establishment (factory, mine, wholesaler, etc.) Coffee House and Eatery	j. Identify principal product or service Food and Beverage Services
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The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about February 16, 2022, the above-named employer has failed to recognize and engage in good faith collective bargaining with the charging party as the designated representative of a bargaining unit of its employees.

By this and related conduct, the employer has violated Section 8(a)(5) and 8(a)(1) of the National Labor Relations Act as charged.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
UNITE HERE Local 24

4a. Address (Street and number, city, state, and ZIP code) 300 River Place Drive, Suite 2700 Detroit, Michigan 48207-4472	4b. Tel. No. 313-259-8493
	4c. Cell No.
	4d. Fax No. 313-259-8481
	4e. e-mail nwinston@24.unitehere.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
UNITE HERE International Union

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Eric B. Myers, Attorney

Tel. No.
415-597-7200Office, if any, Cell No.
415-994-8205Fax No.
415-597-7201e-mail
ebm@msh.law

(signature of representative or person making charge)

(Print/type name and title or office, if any)

McCracken, Stemerma & Holsberry, LLP

Address 595 Market Street, Suite 800, San Francisco, CA 94105

Date 02/24/2022

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 7
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Agency Website: www.nlr.gov
Telephone: (313)226-3200
Fax: (313)226-2090



Download
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Mobile App

March 2, 2022

Nia Winston, President
UNITE HERE!, Local 24
300 River Place Dr Ste 2700
Detroit, MI 48207-4472

Re: The Great Lakes Coffee Roasting Company
Case 07-CA-291488

Dear Ms. Winston:

The charge that you filed in this case on February 24, 2022 has been docketed as case number 07-CA-291488. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Steven E. Carlson whose telephone number is (616)930-9160. The mailing address is 110 Michigan St NW Ste 299, Grand Rapids, MI 49503-2313. If this Board agent is not available, you may contact Resident Officer Colleen J. Carol whose telephone number is (616)930-9161.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

March 2, 2022

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping flourish at the end.

Elizabeth Kerwin
Regional Director

cc: Eric B. Myers, Esq.
McCracken Stemerma & Holsberry LLP
595 Market Street
Suite 800
San Francisco, CA 94105



UNITED STATES GOVERNMENT
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Download
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March 2, 2022

Greg S. Miracle
The Great Lakes Coffee Roasting Company
389 Enterprise Ct
Bloomfield Hills, MI 48302

Re: The Great Lakes Coffee Roasting Company
Case 07-CA-291488

Dear Mr. Miracle:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Steven E. Carlson whose telephone number is (616)930-9160. The mailing address is 110 Michigan St NW Ste 299, Grand Rapids, MI 49503-2313. If this Board agent is not available, you may contact Resident Officer Colleen J. Carol whose telephone number is (616)930-9161.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

March 2, 2022

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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March 2, 2022

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Elizabeth Kerwin". The signature is written in a cursive style with a large, sweeping loop at the end.

Elizabeth Kerwin
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER
07-CA-291488

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).

7A. PRINCIPAL LOCATION:

7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:

B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT (Check the appropriate box): ☐ CALENDAR ☐ 12 MONTHS or ☐ FISCAL YEAR (FY DATES _____)

YES

NO

A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$ _____

B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$ _____

C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$ _____

D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$ _____

E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____

F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$ _____

G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$ _____

H. Gross Revenues from all sales or performance of services (Check the largest amount)

☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.

I. Did you begin operations within the last 12 months? If yes, specify date: _____

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

☐ YES ☐ NO (If yes, name and address of association or group).

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

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Legal Counsel.

DINSMORE & SHOHL LLP
900 Wilshire Drive ^ Suite 300
Troy, MI 48084
www.dinsmore.com

Frank Mamat
(248) 203-1635 (direct) · (248) 647-5210 (fax)
Frank.Mamat@Dinsmore.com

March 15, 2022

VIA E-FILE AND OVERNIGHT DELIVERY

National Labor Relations Board
Attn: Steven Carlson, Field Attorney
110 Michigan Street NW, Suite 299
Grand Rapids, MI 49503

Re: The Great Lakes Coffee Roasting Company
Case Nos: 07-CA-291488 and 07-CA-291487

Dear Mr. Carlson:

Please consider this my Notice of Appearance in the above-referenced cases. I represent The Great Lakes Coffee Roasting Company and will be your contact regarding these two Charges. When you are finished with the investigation, please contact me for the Company's response. We look forward to cooperating with you and your investigation.

Sincerely,

Frank T. Mamat

Frank T. Mamat
cc: Greg and Lisa Miracle

RECEIVED
NLRB
2022 MAR 21 PM 2:35
RESIDENT OFFICE
REGION 7
GRAND RAPIDS, MI

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

The Great Lakes Coffee Roasting Company
and
McCracken Stemerman & Holsberry LLP

CASE 07-CA-291488

The Great Lakes Coffee Roasting Company

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____
The Great Lakes Coffee Roasting Company


IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Frank T Mamat	
MAILING ADDRESS: Dinsmore & Shohl LLP, 900 Wilshire Drive, Suite 300	
TROY MI	
E-MAIL ADDRESS: frank.mamat@dinsmore.com	
OFFICE TELEPHONE NUMBER: 3133337174	
CELL PHONE NUMBER:	FAX: 900300
SIGNATURE: 	
DATE: ^(Please sign in ink.) Wednesday, March 16, 2022 9:13 AM Eastern Standard Time	

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL COUNSEL OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 7**

LOCAL 24, UNITE-HERE!, AFL-CIO,

Petitioner,

Case No. 07-CA-291488

and

THE GREAT LAKES COFFEE ROASTING COMPANY,

Charged Party/Respondent.

**NOTICE OF WITHDRAWAL OF APPEARANCE FOR
THE GREAT LAKES COFFEE ROASTING COMPANY**

PLEASE TAKE NOTE THAT Attorney Frank T. Mamat, of Dinsmore & Shohl LLP hereby withdraws his Appearance as attorney of record for The Great Lakes Coffee Roasting Company and enters his Appearance as Attorney of Record for Involved Parties, Greg Miracle and Lisa Miracle.

/s/ Frank T. Mamat

Frank T. Mamat (P36111)

Dinsmore & Shohl LLP

Attorney for Involved Parties

Greg Miracle and Lisa Miracle

900 Wilshire Dr., Suite 300

Troy, MI 48084

Frank.mamat@dinsmore.com

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 7**

LOCAL 24, UNITE-HERE!, AFL-CIO,

Petitioner,

Case No. 07-CA-291488

and

THE GREAT LAKES COFFEE ROASTING COMPANY,

Charged Party/Respondent.

PROOF OF SERVICE

I hereby certify that on April 6, 2022, a copy of the Notice of Withdrawal of Appearance for The Great Lakes Coffee Roasting Company was served upon the following parties via email:

Unite-Here! Local 24
nwinston@24.unitehere.org

Amy Bachelder, Esq.
abachelder@michlabor.legal

/s/ Frank T. Mamat
Frank T. Mamat (P36111)
Dinsmore & Shohl LLP
Attorney for Involved Parties
Greg Miracle and Lisa Miracle
900 Wilshire Dr., Suite 300
Troy, MI 48084
Frank.mamat@dinsmore.com